



Federal Communications Commission
Washington, D.C. 20554

February 15, 2019

Taylor Dobbs
MuckRock News
411A Highland Ave DEPT MR 61712
61712-75776035@requests.muckrock.com

Re: FOIA Control No. 2018-918

Mr. Dobbs:

This letter responds to your Freedom of Information Act (FOIA) request for “[a]ll correspondence from March 1, 2018 through September 25, 2018 between FCC Chairman Ajit Pai or other members of the FCC staff and Vermont Telephone Company CEO Michel Guite or other Vermont Telephone Company staff.” Your request has been assigned FOIA Control No. 2018-918.

The Office of General Counsel and Office of the Chairman searched for responsive records. The search produced no records responsive to your request. The FCC has no single repository of staff emails, as a result, it was not possible to search all members of the FCC staff. As a result, we conducted a search of FCC Chairman Ajit Pai’s records.

We are required by both the FOIA and the Commission’s own rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought after information.¹ To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.²

Pursuant to section 0.466(a)(5)-(7) of the Commission’s rules, you have been classified as category (2), “educational requesters, non-commercial scientific organizations, or representatives of the news media.”³ As an “educational requester, non-commercial scientific organization, or representative of the news media,” the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request did not involve more than 100 pages of duplication. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.⁴ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or

¹ See 5 U.S.C. § 552(a)(4)(A), 47 C.F.R. § 0.470.

² 47 C.F.R. § 0.470.

³ 47 C.F.R. § 0.466(a)(5)-(7).

⁴ 47 C.F.R. §§ 0.461(j), 1.115; 47 C.F.R. § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

subject line, if via e-mail) and the application itself as “Review of Freedom of Information Action.”

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission’s FOIA Public Liaison for assistance at:

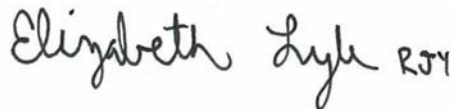
FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director, Performance
Evaluation and Records Management
445 12th St SW, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission’s FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman’s office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies.⁵ The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road–OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

If you have any questions, please contact Max Staloff at 202.418.1764.

Sincerely,

A handwritten signature in black ink that reads "Elizabeth Lyle" followed by a stylized monogram or initials "RLY".

Elizabeth Lyle
Assistant General Counsel

cc: FCC FOIA Office

⁵ Please note that attempts to resolve your dispute through the FOIA Public Liaison or OGIS do not toll the time for filing an application for review unless an extension is granted by the Office of General Counsel.